

# **Notice of Allowability**

**Application No.**

10/027,336

**Examiner**

Thu Khanh T. Nguyen

**Applicant(s)**

DENKINS, JEFFREY L.

**Art Unit**

1722

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 10/027,336.
  2. ☒ The allowed claim(s) is/are 1-18 and 20-22. Claims 20-22 are renumbered as claims 19-21.
  3. ☒ The drawings filed on 20 December 2001 are accepted by the Examiner.
  4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a) ☐ All b) ☐ Some\* c) ☐ None of the:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
    - (a) ☐ The translation of the foreign language provisional application has been received.
  6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## **Attachment(s)**

- |  |   |
|--|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)          |
| 2 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 6 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____.            |
| 3 <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____  | 7 <input type="checkbox"/> Examiner's Amendment/Comment                             |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
|  | 9 <input type="checkbox"/> Other _____  |

## DETAILED ACTION

### *Allowable Subject Matter*

1. Claims 1-18 and 20-22 are allowed over the prior art of record. Claims 20-22 are renumbered as claims 19-21.

2. The following is an examiner's statement of reasons for allowance:

Johnson et al (4,032,283) disclose an exterior corner tool (10), comprising two walls (17, 18) which come together at approximately 90°; wherein each wall defines a cavity (11a, 11b), a top surface (12, 13), a bottom surface, two side surfaces (11d-e), a back wall surface, and an interposed flow chamber (11c) situated within the drywall head to receive the supply of mastic compound, the drywall head comprising: a tapered flow channels (11a-b) formed in each of the walls and in communication with the flow chamber, said flow channels including a leading edge, a trailing edge, and a pair of retaining walls that define the width of the flow channel. The tool further comprises a ball socket (19) on the back of the tool, a spring clip (21) disposed in a pair of recesses formed in a mounting block, providing means for securing the tool (10) to a mastic reservoir and dispenser (col. 1, lines 51-56); means for moving the tool across a tape joint without injury to the joint or impairment to the application of the mastic material from the corner tool (col. 1, lines 20-22), wherein each of the side walls container a pair of guide wheel (27, 28), and the top walls (12, 13) include a plurality of teeth positioned at one end of the flow channels.

However, Johnson et al fails to teach or suggest a drywall head comprising a tapered flow channel formed being recessed from the guide surface and extending from the bottom surface of the drywall head to the top surface to the drywall head, each tapered flow channel being in communication with the flow chamber, wherein each flow channels including a leading edge

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intersecting the bottom surface, a trailing edge intersecting the top surface, and a pair of retaining walls that define the width of the flow channel. Also, Johnson et al fails to disclose the prior art fails to teach or disclose a C-spring assembly positioned to bias the drywall head into an application position, the C-spring assembly including a C-spring attached to the back wall of the drywall head at a first end and attached to the arm member of the ball assembly at a second end.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Khanh T. Nguyen whose telephone number is 571-272-1136. The examiner can normally be reached on Monday- Friday, 6:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda L. Walker can be reached on 571-272-1151. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

TN

  
ROBERT DAVIS  
PRIMARY EXAMINER  
GROUP 1300/1700

11/9/09